IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MRS. JUSTICE K.HEMA

MONDAY, THE 15TH JANUARY 2007 / 25TH PAUSHA 1928

Crl.Rev.Pet.No. 1148 of 2006()

CRA.35/2005 of ADDITIONAL SESSIONS COURT (ADHOC)-II, KOLLAM
CC.1536/2001 of JUDL.MAGISTRATE OF FIRST CLASS-I, KOLLAM

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REVN. PETITIONER: APPELLANT/ACCUSED:

N. VELUSWAMY,
ISWARYA, KOCHUPILAMOODU, PERUNADU P.O.,
KOLLAM DISTRICT.

BY ADV. SRI.C.R.SIVAKUMAR
SRI.SAJU DAVID
SMT.G.VIDYA

RESPONDENTS: RESPONDENT/COMPLAINANT:

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1. THE STATE OF KERALA,
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.

2. THULASEEDHARAN PILLAI,
MANIMANGALATHU VEEDU, PERINADU P.O., KOLLAM.

BY PUBLIC PROSECUTOR SRI.C.K.SURESH
SRI.B.MOHANLAL

THIS CRIMINAL REVISION PETITION HAVING BEEN FINALLY HEARD ON 15/01/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

K. HEMA, J.

Crl.R.P. No.1148 of 2006

Dated this 15th day of January, 2007.

O R D E R

Revision Petitioner is the accused in C.C.No.1536 of 2001 on the file of the Additional Judicial First Class Magistrate's Court No.1, Kollam. Second respondent is the complainant therein. Revision petitioner was convicted and sentenced by the Magistrate's Court to undergo simple imprisonment for three months and also directed to pay compensation of Rs.80,000/- to the complainant under section 357(3) of the Code of Criminal Procedure. In appeal filed by him, the conviction and sentence were confirmed by the Additional Sessions Court. This revision arises from the said conviction and sentence.

2. At the time of hearing, both sides submitted that a petition as Crl.M.Appl.No.449 of 2007 is filed for compounding the offence. It is also submitted by both sides that the matter is settled out of court amicably between the parties and the amount is also paid by the petitioner to the satisfaction of the second respondent. On hearing both sides and on going through the averments in the petition, I am satisfied that this is a fit case to grant permission to compound the offence.

In the result, Revision Petitioner is acquitted of offence under section 138 of the Negotiable Instruments Act, as offence is compounded. He is set at liberty forthwith.

Crl. M.Appl.No.449 of 2007 and Revision Petition are allowed.

vgs. **K. HEMA, JUDGE.**